

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
September 26, 2004
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:46 a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Secretary Dexter McNamara, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Regina Gasco Bentley

Council absent: Vice-Chairperson Beatrice A. Law, Secretary-excused

Legal Staff Present: James Bransky, General Counsel

Staff Present: Michele LaCount, Albert Colby, Jr., Valerie Tweedie, Doug Craven, Heidi Yapple, Deleta Gasco Smith

Commissions, Boards, and Committees: Denise Petoskey, Alice Hughes, Eleanor Barber, Daugherty Johnson, Jr., Tim LaCroix, Beverly Wemigwase

Guests: Warren Petoskey, Carol McFall, Andrew Stich,

Opening Ceremony: Frank Ettawageshik

Motion made by Secretary Dexter McNamara and supported by Councilor Regina Gasco Bentley to adopt the agenda for September 26, 2004 in honor of Little Traverse Bay Bands of Odawa Indians member Cassandra Gibson who was chosen to carry the title 2004-2005 Miss Three Fires.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara to adopt the minutes of September 12, 2004 as corrected.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr., to approve the minutes of the Tribal Council Special Meeting of September 18, 2004.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to enter into record the Tribal Elders' report as verbally reported by Warren Petoskey, Elders Coordinator.

Vote: 6 Yes, No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Regina Gasco Bentley and supported by Councilor Fred Harrington, Jr., to accept the Treasurer's verbal and written report as given by Valerie Tweedie, C.F.O., for September 26, 2004.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Secretary Dexter McNamara and supported by Treasurer Alice Yellowbank to accept the verbal and written report as presented by Tribal Administrator Albert Colby for September 26, 2004.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Secretary Dexter McNamara and supported by Treasurer Alice Yellowbank to authorize the development of (3) proposals from parties interested in refurbishing the Tribal Court room and Tribal Council chambers. These proposal designs will be presented to and approved by Tribal Council.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Secretary Dexter McNamara and supported by Councilor Regina Gasco Bentley to approve a new survey of the Bell's Fishery properties in Mackinaw City with the funding to come from Capital Improvements line item, not to exceed \$5,000.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

11:37 a.m. Councilor Rita Shananaquet leaves

11:39 a.m. Councilor Rita Shananaquet returns

11:50 a.m. Public Comment opened: Andrew Stich, Warren Petoskey,

11:58 a.m. Public Comment closed

12:01 p.m. Lunch recess called until 1:30 p.m.

1:50 p.m. Meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to authorize Bell's Fishery management to set the prices for purchase and sale of all products while providing a higher rate and preference for purchasing from Tribal Members.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to accept the Tribal Chairman's verbal and written report for September 26, 2004.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to increase the political contributions line item by \$12,250 to include a \$250 donation to the local Green Party. Funding to come from prior fund balance.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to accept the Legal Department's report for September 26, 2004 as presented by Jim Bransky, General Counsel.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to adopt Resolution #092604-01 Request for Trust Acquisition of Parcel in Charlevoix County known as Taimi Hoag Nature Preserve.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

2:56 p.m. recess

3:12 p.m. meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to appoint the entire Election Board to represent the Tribe as the Tribal Members of the Secretarial Election Board required by the Secretary of Interior for the Constitutional Election.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Regina Gasco Bentley to approve the budget modification increase FY 2004-1103-0-38-01 for the Election Board for a total of \$31,927 to come from prior period fund balance.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to approve Burial Fund request #A0085 for \$3,795.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr., to adopt Resolution #092604-02 Request for Funding from the National Endowment for the Humanities, Grants for Stabilizing Humanities

Collections, Little Traverse Bay Bands of Odawa Indians "Waganakising Odawak Identity Preservation Project".

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Regina Gasco Bentley to adopt Resolution #092604-03 Request for Funding from the National Science Foundation, in partnership with the National Endowment for the Humanities and the Smithsonian Institution, for Documenting Endangered Language, "Little Traverse Bay Bands of Odawa Indians Language Preservation Project".

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara to adopt Resolution #092604-04 Request for Funding from Michigan Inter-Tribal Council, Little Traverse Bay Bands of Odawa Indians "Healthy Anishnaabe Women Project".

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to enact Waganakising Odawak Statute, Check Draft, or Order for Payment of Money, sponsored by Mel Kiogima, III.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank to place the Natural Resource Commission amendment to Waganakising Odawak Statute 2001-04 on the Legislative Agenda.

Vote: 5 Yes, 1 No (Councilor Fred Harrington, Jr.), 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

Motion Carried

4:14 p.m. Public Comment opened: Andrew Stich

4:17 p.m. Public Comment closed

5:38 p.m. recess called
5:50 p.m. meeting reconvened
5:55 p.m. Councilor Rita Shananaquet leaves
5:57 p.m. Councilor Rita Shananaquet returns

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to enact Waganakising Odawak Statute Tribal Elections and Election Board, sponsored by the Election Board.

Roll Call: Tribal Chairman Frank Ettawageshik-yes Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes
Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to approve the budget for \$4,000 for Miss Odawa Nation. Funding to come from Cultural Immersion line item.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

7:00 p.m. Councilor Rita Shananaquet leaves
7:03 p.m. Councilor Rita Shananaquet returns

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to place Waganakising Odawak Statute Site Plan Review Ordinance on the Legislative Agenda, sponsored by Susan Wysocki.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

7:29 p.m. Councilor Rita Shananaquet leaves

7:34 p.m. Motion made by Councilor Regina Gasco Bentley and supported by Secretary Dexter McNamara to go into Executive Session for land #15.

Vote: 4 Yes, 1 No (Councilor Fred Harrington, Jr.), 2 Absent (Vice-Chairperson Beatrice A. Law, Councilor Rita Shananaquet), 0 Abstained
Motion Carried

7:49 p.m. Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to return to open session.

Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Councilor Rita Shananaquet), 0 Abstained
Motion Carried

7:50 p.m. Motion made by Councilor Regina Gasco Bentley and supported by Secretary Dexter McNamara to go into closed session for land #16.

Vote: 4 Yes, 1 No (Councilor Fred Harrington, Jr.), 2 Absent (Vice-Chairperson Beatrice A. Law, Councilor Rita Shananaquet), 0 Abstained
Motion Carried

7:59 p.m. Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to return to open session.

Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Councilor Rita Shananaquet), 0 Abstained

Motion Carried

7:59 p.m. Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to adjourn.

Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Councilor Rita Shananaquet), 0 Abstained

Motion Carried

These Minutes have been read and approved as written:

Approved:

Dexter McNamara, Tribal Secretary

Date